

## REMARKS/ARGUMENTS

In the specification, page 7, line 17, second full paragraph (beginning with the words, "A packet data system 20 is illustrated in FIG. 1 . . .") and page 12, line 5, first paragraph (beginning with the words, "In one embodiment, the T/P ratio is included in the header of a packet of data . . .") have been amended to correct minor editorial problems.

In amended FIG. 1, element reference number 20 has been added to label the entire system shown in the figure. In amended FIG. 7, the phrase "PARALLEL SIGNAL CHANNEL" has been replaced by the phrase "SIGNALING DATA INCLUDING T/P INFORMATION."

Claims 1-17 were pending in the application. Of these, claims 13-17 are allowed; claims 1, 2, 3, 5, and 8 are rejected under 35 U.S.C. 102 (e) as being anticipated by Andersson (US 6,434,380); and claims 4, 6, 7, and 9-12 are objected to as being dependent on a rejected base claim.

### 35 U.S.C. §102(e) Rejections

Claim 1 stands rejected as anticipated by Andersson (US 6,434,380), hereinafter referred to as "Andersson." A claim is anticipated only if each and every element as set forth in the claim is found. See MPEP §2131. Applicants respectfully disagree with the Examiner that Andersson teaches a wireless system as recited in Applicants' claim, as Andersson fails to teach each and every element as in claim 1.

Specifically, Applicants' claim 1 recites:

- a first set of channels within the plurality of transmission channels, the  
first set of channels being assigned to packet data transmissions  
and packet data being transmitted in frames;
- a second set of channels within the plurality of transmission channels, the  
second set of channels being assigned to low delay data  
transmissions; and

a signaling channel within the plurality of transmission channels, the signaling channel being assigned to message transmissions, wherein each message identifies a packet data target recipient.

Here a signaling channel is assigned to message transmissions, wherein each message identifies a packet data target recipient. The packet data is transmitted on the first set of channels. In other words, while a packet of data is transmitted on one channel, the corresponding packet recipient is transmitted on another channel. As described in Applicants' originally filed specification, the provision of recipient information on a signaling channel allows the receiver to avoid decoding an entire packet when the packet is not intended for that receiver.

While Applicants agree that Andersson discusses transmission of signaling information in a wireless communication, Andersson does not teach a signaling channel, and specifically does not teach a signaling channel as recited in Applicants' claim. Applicants point out the following specific limitations in the rejected claim which are not described in the prior art relied upon in the rejection.

Firstly, Andersson does not teach a signaling channel as in recited in claim 1. Andersson merely mentions that signaling information is provided when a mobile device participates in a wireless communication. See Andersson, column 3 lines 55-58: "As understood by those skilled in the art, when user equipment unit 20 participates in a mobile telephonic connection, signaling information and user information from user equipment unit 20 are transmitted over air interface 23 on designated radio channels to one or more of the base stations 22. The base stations have radio transceivers which transmit and receive radio signals involved in the connection or session." Such signaling is understood to be conventional signaling, known at the time of Andersson, and used to set up and maintain a radio session. Andersson does not teach a signaling channel for transmitting messages corresponding to packet data transmitted on another channel.

Secondly, Andersson does not teach transmission of a packet data target recipient on a signaling channel as recited in Applicants' claim 1. Andersson does not give any detail as to the signaling information specifics. In fact, Andersson specifically states that the signaling information is known by those skilled in the art. Andersson does not teach or even suggest the message identifying a packet data target recipient for a packet sent on another channel. As the

system of Andersson does not provide a packet data target recipient on a signaling channel, as recited in Applicants' claim 1, Andersson does not teach a mechanism whereby a receiver may avoid unnecessary decoding; therefore, to make such rejection, the Examiner is using hindsight and applying Applicants' teaching to the system of Andersson. Andersson does not provide support for this reading.

The arguments given for claim 1 apply also to claims depending thereon. Further, with respect to claim 2, Andersson does not teach the limitation "wherein the first message identifies a first packet data target recipient associated with the first packet data frame." As discussed above with respect to claim 1, Andersson does not discuss target recipients. In addition, Andersson does not associate a "first packet data frame" to a message "transmitted on the signaling channel concurrently," identifying the target recipient for the packet data as in the applicants' claim 2. Instead, Andersson column 3 lines 55-58 merely states that "signaling information and user information from user equipment unit 20 are transmitted over air interface 23 on designated radio channels to one or more of the base stations 22" without specifying the use of a signaling channel separate from the packet data transmission channels, without specifying a message associated with a packet data frame, without specifying concurrency, and without specifying that the message identifies a packet data recipient.

Still further, with respect to claim 3, Andersson does not teach the limitation that a "first message identifies a subset of the first set of channels assigned to transmission of the first packet data as recited in claim 3. As stated above, Andersson does not teach any of these limitations. The examiner correctly states that "a subset can include one member." However, Andersson does not teach a message sent on a signaling channel identifying a subset of channels nor identifying a single channel assigned to transmission of first packet data. Once again, Andersson column 3 lines 55-58 merely states that "signaling information and user information from user equipment unit 20 are transmitted over air interface 23 on designated radio channels to one or more of the base stations 22", without giving any of the aforementioned specifics.

The arguments given for claim 1 are also applicable to claims 5 and 8, as well as claims depending thereon. Further, claim 5 includes the elements "buffer", "processor", and "decoder". Andersson's Fig. 1, element 20 is simply labeled UE (user equipment). Andersson does not teach or suggest the combination of a buffer, a processor, and a decoder as recited in Applicants' claim 5. Andersson does not teach or suggest the recited functions of these elements to

determine the target recipient from the message on the signaling channel, and to decode data packets if the wireless apparatus is a target recipient and ignore data packets if the wireless apparatus is not the target recipient. Andersson does not teach the target recipient provided on the signaling channel, and therefore, Andersson does not teach or suggest this combination or its advantages.

Applicants present new claims 18-27. These new claims are fully supported by the originally filed specification. Applicants also amend allowed claim 13 to fix a minor typographical error.

Applicants respectfully assert that claim 1, 2, 3, 5, and 8 are allowable over the cited art. Applicants request withdrawal of the rejections and objections of the present Application for Patent.

**REQUEST FOR ALLOWANCE**

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: July 30, 2003

By: \_\_\_\_\_



**Rupit Patel**

Agent for Applicants

Reg. No. 53,441

QUALCOMM Incorporated  
5775 Morehouse Drive  
San Diego, California 92121  
Telephone: (858) 651-7435  
Facsimile: (858) 658-2502